

Docket No.: 40146/25201 (1468)

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JAN 14 2008

**I. INTRODUCTION**

Claims 1, 3, and 6-8 have been amended. Claims 17-19 have been added. No new matter has been added. Claims 4, 5, 9 and 10 are currently canceled and claims 11-16 have been previously canceled. Thus, claims 1-3, 6-8 and 17-19 are now pending in the present application. In view of the above amendments and following remarks, it is respectfully submitted that all of the presently pending claims are allowable.

**II. THE 35 U.S.C. § 102(e) REJECTIONS SHOULD BE WITHDRAWN**

Claims 1-3, 5-8 and 10 stand rejected under 35 U.S.C. § 102(e), as being anticipated by U.S. Patent No. 6,799,047 to Bahl et al. ("Bahl"). (See 09/13/07 Office Action, p. 3, lines 17-18).

Currently amended claim 1 recites, inter alia, "...determining said device has moved to a further location based on a detected change in said received radio signals; and *increasing a rate of updated location data upon determining said device has moved.*" (Emphasis added).

Bahl describes a method for locating a user in a wireless network. (See Bahl, Abstract). Specifically, the method monitors strength of signals between base stations and a mobile computer to locate the mobile computer. (See Id., col. 5, lines 28-30). The signal strength from the base stations will vary as the mobile computer is moved around a building. (See Id., col. 5, lines 48-50). The method includes creating a location versus signal strength table where empirical measurements of the signal strength of the base stations have been taken.

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(See Id., col. 5, line 64 – col. 6, line 1). The physical location of the mobile computer is determined to be the same as the location whose corresponding empirically derived signal strengths in the table are the closest to the measured signal strengths. (See Id., col. 7, lines 21-25). However, it is important to note that Bahl is silent on determining that a device has moved to a further location based on a detected change in received radio signals and increasing the rate in which location data is updated upon detecting the change.

It should be noted that claim 1 has been amended to incorporate limitations of currently canceled claims 4 and 5. In the Examiner's rejection of claim 4, the Examiner "asserts that providing updated location data if said device determines that it has changed location" is anticipated by Figs. 1-4 and 6 of Bahl. (See 09/13/07 Office Action, p. 4, line 18 – p. 5, line 3). However, these figures do not teach or suggest increasing a rate for updating location data upon determining a device had moved. While these figures disclose the creation of a location versus signal strength and various layouts for a wireless network, the Examiner had failed to provide any further support demonstrating that Bahl discloses "...determining [a] device has moved to a further location based on a detected change in [] received radio signals; and increasing a rate of updated location data upon determining said device has moved," as recited in claim 1. Accordingly, it is respectfully submitted that claim 1 is allowable over the cited references. Because claims 2 and 3 depend from, and therefore include all the limitations of claim 1, it is respectfully submitted that these claims are also allowable.

Claim 6 recites, *inter alia*, "...determine said device has moved to a further location based on a detected change in said received radio signals, and update said location data upon determining said device had moved." (Emphasis added). Thus, for the reasons described above with reference to claim 1, it is respectfully submitted that claim 6 is also allowable.

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Because claims 7 and 8 depend from, and therefore include all of the limitations of claim 6, it is respectfully submitted that these claims are also allowable.

Claim 17 recites *inter alia*, "...a determining means determining the device has moved to a further location based on a detected change in the received radio signals; and a data updating means updating the location data upon determining the device had moved." (Emphasis added). Thus, for the reasons described above with reference to claim 1, it is respectfully submitted that claim 17 is also allowable. Because claims 18 and 19 depend from, and therefore include all of the limitations of claim 17, it is respectfully submitted that these claims are also allowable.

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In light of the foregoing, Applicant respectfully submits that all of the now pending claims are in condition for allowance. All issues raised by the Examiner having been addressed. An early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

Dated: January 14, 2008

By: 

Oleg F. Kaplun (Reg. No. 45,559)

Fay Kaplun & Marcin, LLP  
150 Broadway, Suite 702  
New York, NY 10038  
Phone: (212) 619-6000 ext. 204  
Fax: (212) 208-6819